

(15)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION No.2138 OF 2006

PETITIONER

Rahul Sharma S/o Shri Ram Kishor Sharma, aged about 21 years, Student of B.E. (Bachelor of Engineering) Studying at Chouksey Engineering College, Bilaspur (C.G.) R/o Near Jagmal Chowk, Torwa, Bilaspur (C.G.)

Versus

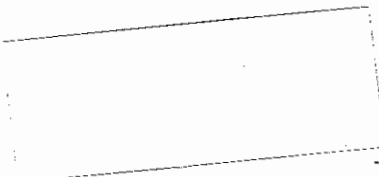
RESPONDENTS

1. Dy. Registrar (Exam), Guru Ghasidas University, Bilaspur (C.G.)
2. Registrar, Gurughasi Das University, Bilaspur (C.G.)
3. Principal, Chouksey Engineering College, Bilaspur (C.G.)

Present : Smt. Meena Shastri, learned counsel for the petitioner.

ORAL ORDER
(Passed on 25th April, 2006)

To put the case of the petitioner pithily is that in the supplementary examination conducted by the respondents he was quite confident that he would secure more marks in the subject of "Formal language and Automata theory" than the marks he had secured in the first attempt. But, his expectation did not come true and he was awarded less marks than what he had secured in the first attempt. He has filed this writ petition for a direction to call for the answer-script of the petitioner in the subject of "Formal language and Automata theory", peruse the same and pass appropriate direction. The prayer is misconceived and cannot be granted for more than one reason. It is well settled that the revaluation of the answer-script or re-totaling of marks could be ordered only if the regulations governing conduct of examination provide for it and not



otherwise (see Maharashtra State Board of Secondary and Higher Secondary Education and another Vs. Paritosh Bhupesh Kurmarsheth etc¹). If the regulations governing conduct of examination provide for revaluation of answer-scripts or re-totaling of marks, it is open for the petitioner to apply for re-totaling of marks or revaluation of answer-scripts in the subject of "Formal language and Automata theory" as per the regulations. The request made to the Court that the Court should secure answer-script, peruse the same and pass appropriate orders is again misconceived. The Court is not an expert to value the answer-script and give appropriate marks. The Courts normally will not interfere with the academic matters, unless the impugned action is shown to be tainted by *malafide* or totally arbitrary and unreasonable. That is not the case made out in this writ petition. The entire writ petition is based on the self-assessment of the petitioner about his own performance, and his self-assessment of his performance is totally irrelevant for decision-making. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

1. A.I.R. 1984 SC 1543